

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA

v.

Case No. 8:11-cr-249-T-60TGW

CHRISTOPHER BRYAN QUINN,

Defendant.

ORDER DENYING DEFENDANT’S
“MOTION UNDER ALL WRITS ACT 28 USC § 1651”

This matter is before the Court on Defendant Christopher Bryan Quinn’s “Motion Under All Writs Act 28 USC § 1651,” filed on July 16, 2020. (Doc. 246). On August 19, 2020, the Court directed the United States to respond. (Doc. 247). On September 1, 2020, the Government filed its response. (Doc. 248). After reviewing the motion, case file, and the record, the Court finds as follows:

On December 11, 2011, Defendant entered guilty pleas to Counts Three and Four of the superseding indictment pursuant to a plea agreement with the United States. (Docs. 53; 56). On March 16, 2012, a predecessor judge sentenced Defendant to a cumulative term of 176 months imprisonment. (Doc. 103).

Defendant now seeks to reduce his sentences, arguing that he should have received a downward adjudgment for his supposed acceptance of responsibility. Upon review, the Court finds that Defendant is not entitled to relief. The Court does not possess jurisdiction under the All Writs Act to reduce Defendant’s sentences. *See, e.g.*, 28 U.S.C. § 1651; *United States v. Langdon*, 379 F. App’x 886,

887 (11th Cir. 2010). However, even if the Court could construe the motion and address it under some other rule, it would not grant relief. The Court has reviewed a transcript of the sentencing hearing (Doc. 113) and finds that the record supports the sentencing judge's denial of a downward adjustment. The sentencing judge was in the best position to make this factual determination and did so after argument and due consideration – the decision to deny a downward adjustment was appropriate then and remains so now. Consequently, Defendant's "Motion Under All Writs Act 28 USC § 1651" is hereby **DENIED**.

DONE AND ORDERED in Chambers, in Tampa, Florida, this 16th day of September, 2020.



TOM BARBER
UNITED STATES DISTRICT JUDGE